

MELLINGER KARTZMAN LLC

101 Gibraltar Drive, Suite 2F

Morris Plains, New Jersey 07950

Joseph R. Zapata, Jr., Esq.

Tel. (973) 267-0220

jzapata@msklaw.net

Attorneys for Steven P. Kartzman, Chapter 7 Trustee



Order Filed on January 21, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

NICHOLAS PEZZA,

Debtor.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Chapter 7

Case No.: 16-33371 (RG)

Honorable Rosemary Gambardella

**CONSENT ORDER AUTHORIZING THE SALE OF THE CO-OWNER'S INTERESTS
IN THE REAL PROPERTY LOCATED AT 488 DEWEY AVE, SADDLE BROOK, NJ**

The relief set forth on the following pages numbered two (2) through four (4) is hereby
ORDERED.

DATED: January 21, 2020

A handwritten signature in cursive script that reads "Rosemary Gambardella".
Honorable Rosemary Gambardella
United States Bankruptcy Judge

Page 2 of 3

Debtor: Nicholas Pezza

Case No.: 16-33371 (RG)

Caption: Consent Order Authorizing the Sale of the Co-Owner's Interests in the Real Property Located at 488 Dewey Ave., Saddle Brook, NJ

THIS MATTER having been brought before the Court by Steven P. Kartzman, Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger Kartzman LLC, on application for the entry of a Consent Order in lieu of a complaint for authority to sell co-owner interests in real property under 11 U.S.C. § 363(h); and the Trustee and Jeanette Pezza, the co-owner of the real property located at 488 Dewey Ave., Saddle Brook, NJ, having agreed to a resolution of the issues on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. The Trustee be, and is hereby, authorized to sell the real property located at 488 Dewey Ave., Saddle Brook, NJ (the "Property"), such property co-owned by the debtor, Nicholas Pezza (the "Debtor") and Jeanette Pezza (the "Co-Owner") pursuant to 11 U.S.C. § 363(h).

2. To the extent that the Co-Owners interest in the Property is sold pursuant to 11 U.S.C. § 363(h), the Co-Owner shall be entitled to a distribution based upon and to the extent of her interest in the Property, subject to the provisions of 11 U.S.C. § 363(j).

3. Pursuant to 11 U.S.C. § 363(j), once a closing occurs, the net proceeds after (a) the costs of the sale of the Property including, but not limited to, legal fees and any other expenses commonly associated with the sale of residential property in New Jersey; and (b) satisfaction of any mortgages, municipal liens, and any other liens against the Property which were incurred by both the Debtor and the Co-Owner, will be distributed by the Trustee 50% to the estate and 50% to the Co-Owner.

Page 3 of 3

Debtor: Nicholas Pezza

Case No.: 16-33371 (RG)

Caption: Consent Order Authorizing the Sale of the Co-Owner's Interests in the Real Property Located at 488 Dewey Ave., Saddle Brook, NJ

4. The Estate and the Co-Owner will be solely obligated to satisfy any lien solely against its or her interest, from its or her share of the net proceeds.

5. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.

6. The Co-Owner hereby submits to the jurisdiction of this Court for the resolution of all issues arising hereunder and the Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

7. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

8. A copy of this Order shall be served on all interested parties within five (5) days from the date of entry.

The undersigned hereby consent to the form and entry of the within Order:

MELLINGER KARTZMAN LLC
Attorneys for Steven P. Kartzman
Chapter 7 Trustee

DONALD TROY BONOMO, ESQ.
Attorney for Jeanette Pezza

By: /s/ Joseph R. Zapata, Jr.
JOSEPH R. ZAPATA, JR., ESQ.

By: /s/ Donald Troy Bonomo
DONALD TROY BONOMO, ESQ.

Dated: January 9, 2020

Dated: January 9, 2020